

REMARKS

Claims 1-13 are pending. By this response, claims 1, 9 and 10 are amended and claims 11-13 added. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Objection

The Office Action objects to claims 1, 9 and 10 as lacking clarity with respect to certain claimed features. Applicant has amended the claims to clarify the claim language. Applicant notes that the amendments are grammatical and are not substantive in nature nor have they been made in view of the prior art. Accordingly, withdrawal of the objection is respectfully requested.

Prior Art Rejection

The Office Action rejects claims 1-10 under 35 U.S.C. § 103(a) as being unpatentable over Sekine et al. (U.S. Patent 6,476,869) and Yokota et al. (U.S. Patent 5,905,530). This rejection is respectfully traversed.

Sekine teaches a video camera device that obtains aberration information with regard to the video signal and the apparatus itself and provides a code which is representative of the aberration to a video tape for storage of the video signal. A separate device then reproduces the aberration and video signal from the video tape and corrects the aberration (see column 3, lines 15-30 and column 2, lines 1-13).

As correctly stated in the Office Action, Sekine fails to teach or suggest obtaining “processed image data, before a shooting of a next frame of an image in which the processed image data is stored inside the image memory prior to the shooting of the next frame, or during the shooting of the next frame onward, in which the processed image data is stored in said image memory during or after the shooting of the next frame.” The Office Action alleges that Yokota provides this feature absent in Sekine’s teachings and is combinable with Sekine’s teachings to provide Applicant’s claimed invention. Applicant respectfully disagrees.

Okada teaches a system that obtains aberration information about a photographic lens, stores this information in a memory, and uses the information to process image data captured through the photographic lens by image sensors.

The Office Action alleges that the flow chart of the tube in column 8, lines 9-13, of Okada teach the claimed obtaining “processed image data, before shooting of a next frame of an image, in which the processed image data is stored in said image memory prior to the shooting of the next frame.” Applicant respectfully submits that Yokota fails to teach or suggest this claimed feature. Yokota teaches correction of image data based on lens aberrations, however, Yokota does not indicate how the data is processed and/or stored in relation to the shooting of a next image frame. Fig. 2 of Yokota details the steps for processing obtained data. However, it does not illustrate where in the processing step a next image frame is captured. The Office Action appears to jump to conclusions not based upon facts. The Office Action states “The flow chart concerns the capturing and correcting of a

single image prior to permanent storage and, as clearly shown, the next frame is captured again at the beginning of the flow chart.” See page 7 of the Office Action.

The flow chart, however, only shows the processing of the image data, not when the next frame of data is captured, let alone the relation of the capturing of a next image to the processing data.

Further, the Office Action alleges that the feature of obtaining “processed image data during the shooting of the next frame onward, in which the processed image data is stored in said image memory during or after the shooting of the next frame” does not have to be taught by the references because it is an alternative mode recited in the claims. Applicant respectfully disagrees. Applicant respectfully submits that all features of the claim must be examined and taught by the prior art in order to establish a proper rejection. Elements of the claims cannot be ignored when examining the claims for patentability.

Therefore, in view of the above, the combination of Sekine and Yokota fail to teach or suggest, *inter alia*, obtaining processed image data, before a shooting of a next frame of an image, in which the processed image data is stored in said image memory prior to the shooting of the next frame, or during the shooting of the next frame onward, in which the processed image data is stored in said image memory during or after the shooting of the next frame, as recited in claims 1 and 10.

Regarding dependent claim 7, the office action alleges that Sekine teaches the features recited therein. Applicants respectfully disagree. Claim 7 recites, *inter alia*, an image of a region larger than a photographic region confirmed by a photographer is formed on said image sensor element in accordance with missing

of pixels which is caused as a result of the correction by said lens characteristic correction unit. In the embodiment of claim 7, the missing of pixels is the diagonally shaded areas shown in Fig. 3b, when the outline shape of the image is changed from the rectangular shape to the shape in Fig. 3. The image of the region larger than the photographic region is obtained in order to generate the missing pixels in those areas.

The office action, alleges that column 4, lines 50-56 of Sekine provide the above noted teachings of claim 7. The office action alleges that column 4, lines 50-56 teaches that the correction performed by the lens characteristic correction unit (Fig. 2) involves interpolation between adjacent picture elements. However, this section of Sekine merely explains the interpolation between adjacent picture elements and does not describe how to obtain the region larger than the photographic region confirmed by the photographer as an image data. Thus, Sekine fails to teach the features of claim 7.

Therefore, for the above reasons, applicant respectfully submits that claim 1, 10 and 7 are distinguishable over the prior art. Dependent claims 2-6 and 8 are also distinguishable over the cited art for at least the reasons above as well as for the additional features they recite. Thus, the combination of Sekine and Yokota fail to teach each and every feature of the claims as required. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-13 are distinguishable over the cited art. Reconsideration and prompt allowance are earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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